

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

ELROY DOWE,)	
)	
Petitioner,)	
v.)	Criminal Action No. 2004-0005
)	Civil Action No. 2009-0100
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	

Appearances:

Elroy Dowe,
St. Thomas, U.S.V.I.
Pro Se

Alphonso G. Andrews, Esq.,
St. Croix, U.S.V.I.
For the United States

ORDER

UPON CONSIDERATION of Petitioner Elroy Dowe’s (“Petitioner”) Motion to Vacate, Set Aside, or Correct Sentence and Conviction Pursuant to 28 U.S.C. § 2255 (“Motion to Vacate”) (Dkt. No. 1226); Magistrate Judge George W. Cannon Jr.’s Report and Recommendation (“R&R”) recommending that the Court deny Petitioner’s Motion to Vacate on all grounds (Dkt. No. 1350); and Petitioner’s Motion styled “F. R. Civ. Proc. R. 15(c)(1)(B) Amendment to Pending § 2255” (“Motion to Amend”) (Dkt. No. 1332); and for the reasons set forth in the accompanying Memorandum Opinion filed contemporaneously herewith; it is hereby

ORDERED that Magistrate Judge Cannon’s R&R (Dkt. No. 1350) is **ACCEPTED**; and it is further

ORDERED that Petitioner’s Motion to Vacate (Dkt. No. 1226) is **DENIED**; and it is further

ORDERED that Petitioner’s Request for discovery is **DENIED**; and it is further

ORDERED that Petitioner's request for an evidentiary hearing is **DENIED**; and it is further

ORDERED that Petitioner's Motion to Amend (Dkt. No. 1332) is **DENIED**; and it is further

ORDERED that the Court **DECLINES** to issue a Certificate of Appealability for failure to satisfy the standard set forth in 28 U.S.C. § 2253(c)(2); and it is further

ORDERED that the Clerk of Court shall provide a copy of this Order and its accompanying Memorandum Opinion to Petitioner by certified mail, return receipt requested; and it is further

ORDERED that the Clerk of Court is directed to mark the case **CLOSED**.

SO ORDERED.

Date: June 10, 2020

 /s/
WILMA A. LEWIS
Chief Judge